IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.26296 of 2001

Dated: 5th July, 2006

Between:

K.Bhaskar Reddy

.. Petitioner

and

The Commissioner, Mancherial Municipality,
Mancherial, Adilabad district & others.

.. Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.26296 of 2001

ORDER:

This writ petition is filed seeking a Mandamus questioning the action of the first respondent in issuing the impugned proceedings dated 30.8.2001, whereunder the assessment made in the year 1993 in respect of petitioner's house bearing H.No.12-416/1 was sought to be cancelled on the ground that the petitioner does not have any right or

title over the said property as per the legal opinion of the Standing Counsel for Municipality. Thought the petitioner produced documentary evidence pertaining to the said house on 21.4.2001, the impugned order came to be passed. It seems the impugned order is passed at the behest of one K.Satyanarayana Reddy, who is the brother of petitioner herein.

Since the dispute between the parties is purely civil in nature, I am of the opinion that the municipal authorities have no power to adjudicate the title of the parties particularly at this length of time and therefore, the impugned order is liable to be set aside.

In the result, the writ petition is allowed and the impugned order dated 30.8.2001 passed by the first respondent is set aside. No order as to costs.

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C.V.RAMULU, J

Date: 5.7.2006

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

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5.7.2006